

Introduction to the **NESHAP Asbestos Regulations**

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Who?

What?

When?

Where?

Why?

How?



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Who is responsible and liable for complying with the NESHAP?

Do *I* have to deal with this?



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Who???

-  The asbestos NESHAP applies to all regulated facilities subjected to regulated activities.
-  Both the owner and the operator are equally and fully liable for compliance
-  Your liability can not be contracted away.



What is the Asbestos NESHAP?

What facilities and activities does the NESHAP regulate?

What is the difference between the NESHAP and MDELEG?

Do these regulations apply to *my project*?



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What???

NESHAP

- National Emission Standards for Hazardous Air Pollutants
- 40 CFR, Part 61, SubPart M
- Originally enacted as a Federal Standard in 1973
- Adopted by reference to the State of Michigan Air Rules (Rule 942) in 2000



What???

 A subject facility is any structure other than a privately owned/privately controlled residence.

 School

 Church

 Industrial Plant

 Prison



 Bridge

 Docked Ship

 Military Installation




What???

-  Residential buildings if owned or controlled by a governmental or commercial entity.
-  Apartment buildings with 5 or more dwelling units are subject .



What???

 Regulated activities include asbestos abatement if the material being abated exceeds the NESHAP thresholds of

- 160 square feet
- 260 linear feet
- 35 cubic feet

Note – these thresholds are different than these for the MDELEG asbestos program.



What???

- Any demolition activity at a regulated facility requires a notification.
- Demolition is defined as the removal of a load bearing structure.




What???

☞ If a structure is demolished by intentional burning all Asbestos containing material (ACM) must be removed and a notification submitted for the regulated activity.



What???

 Differences between the NESHAP and MDELEG asbestos programs...



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What???

NESHAP

- 10 working day notification submission requirement.
- Regulates *whoever* does the removal and/or demolition work.

MDELEG

- 10 calendar day notification submission requirement.
- Regulates contractors; requires licensing for asbestos removal contractors.



What???

NESHAP

- Primary focus is on preventing emission of asbestos fibers to the outside air.
- Project dates include any dates regulated removal/demolition activities are being performed.

MDELEG

- Primary focus is on worker protection.
- Project dates include any dates workers are on site.



What???

NESHAP

- Only regulates subject facilities and activities performed at subject facilities.
- Regulates landfilling practices and record keeping.

MDELEG

- Regulates subject facilities as well as private homes.
- Does not get involved with landfilling asbestos.





When are notifications required?

Do I have to fill out any *paperwork*
and *how soon* is it due?



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When???

-  A notification is required to be submitted to the Asbestos NESHAP program at least 10 working days prior to the start of the regulated activity (the MDELEG program is based on 10 *calendar* days).
-  This time frame is determined by the postmark date on the notification or the date stamp at the office if hand delivered. Faxes are not allowed.



The background of the slide is a spiral-bound notebook. The left side shows the silver metal spiral binding. The pages are a light tan or cream color with a subtle, repeating pattern of small, faint illustrations of trees and leaves. The notebook is set against a solid dark brown background.



Where do I get started?

I don't know where to even begin.





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Where???

-  Any project that involves the disturbance of any construction materials in a regulated structure starts with an asbestos survey.
-  An asbestos survey is an inspection of the facility by a certified asbestos inspector that involves sampling any suspect materials that may be disturbed during any activities at the facility.




Where???

-  Samples are submitted for laboratory analysis to determine the presence of asbestos fibers.
-  If asbestos containing materials are found they must be removed by individuals who are trained and certified to remove asbestos.




Where???

 As an owner or contractor, if you hire someone to conduct an asbestos survey you should receive a written product stating what was sampled and the percentage of asbestos found in the samples.



Where???

 Common locations where asbestos containing materials are found:

- Roofing
- Siding
- Pipe wrap
- Flooring
- Many others





Why should these regulations be
taken seriously?

I have to do this, *because...*?




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Why???

-  The asbestos NESHAP Regulations are enforced by the Federal Environmental Protection Agency (EPA) and the State of Michigan Department of Natural Resources and Environment (DNRE).
-  They carry a maximum penalty of \$27,500 per violation per day.



Why???

 Compliance helps to ensure proper steps are taken to minimize exposure and reduce health risks to workers and citizens in surrounding areas.



The background of the slide is a spiral-bound notebook with a brown cover and a light beige, textured paper. The spiral binding is on the left side. The text is written in a brown, serif font.

How do I get more information?

I can't be expected to understand all
this, how about some *HELP*?



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How???

Lansing Staff

- **Kimberly Dohm (517) 241-7463**
NESHAP Asbestos Notification Coordinator
- **Robert Christmas (517) 335-4639**
NESHAP Asbestos Inspector
- **Keshav Singh (517) 335-4644**
NESHAP Asbestos Inspector
- **Jong Yu (517) 373-1883**
NESHAP Asbestos Inspector



How???

Wayne County

- **Thomas Vincent (313) 456-4686**
NESHAP Asbestos Inspector

DNRE - AQD

Cadillac Place

3058 West Grand Blvd, Suit 2-300

Detroit, MI 48202



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How???

Northern Lower Peninsula & Upper Peninsula

– **Joel Asher (906) 346-8502**

NESHAP Asbestos Inspector

DNRE - AQD

Upper Peninsula District Office


420 5th Street

Gwinn, MI 49841



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How???

 All forms and information can be found on the State of Michigan's web site at:

http://www.michigan.gov/deq/0,1607,7-135-3310_4106-11856--,00.html



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Questions?



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